

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EARTHWISE TECHNOLOGIES, INC., and
BRUCE SEARLE,

Plaintiffs,

v.

SUAREZ CORPORATION INDUSTRIES,

Defendant.

CASE NO.C07-5577RJB
C07-2020RJB (consolidated)

ORDER DENYING DEFAULT

SUAREZ CORPORATION INDUSTRIES and
MHE CORPORATION,

Plaintiffs,

v.

EARTHWISE TECHNOLOGIES, INC.,
EARTHWISE INNOVATIONS, INC., and
BRUCE R. SEARLE, individually,

Defendants.

The Motion for Default, Dkt #34 in cause number C07-5577RJB, has been considered together with the files and records in the case and is **DENIED** as to the named defendants)for the following reason:

(☒) An Answer or responsive pleading has been filed by the defendants.

() The United States has 60 days in which to answer the summons pursuant ro FRCP 12(a)(3). According to the returns, in the file, the summons were issued on____ and executed by certified mail ____;

() Service of the summons and complaint has not been filed as to Defendant(s) in accordance with Fed.R.Civ.P. 4(e)(2);

() There is no proof that the plaintiff has served this motion for default on defense counsel.

DATED: March 13th, 2008

BRUCE RIFKIN, Clerk

By: /s/Dara L. Kaleel, Deputy Clerk